

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

FREE SPEECH SYSTEMS LLC,

Debtor.

)
) Chapter 11 (Subchapter V)
)
) Case No. 22-60043 (CML)
)
)
)

EXHIBIT 3

**IN THE UNITED STATES BANKRUPTCY COURT
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In re:)	
)	Chapter 11
FREE SPEECH SYSTEMS LLC,)	
)	Case No. 22-60043
Debtor.)	

**SUBCHAPTER V TRUSTEE’S STATEMENT IN SUPPORT OF THE DEBTOR’S
AMENDED EMERGENCY APPLICATION TO EMPLOY HAROLD “HAP” MAY, PC**

Melissa Haselden, Subchapter V Trustee (“Trustee”), files this Statement in Support of the Debtor’s Application to Employ Harold “Hap” May, PC, and represents as follows:

1. The Trustee is the duly qualified and acting Subchapter V Trustee for the estate of the Free Speech Systems, LLC (“Debtor”).
2. On February 12, 2024, the Debtor filed an Amended Emergency Motion *and Application for Entry of an Order Authorizing the Debtor to Retain and Employ Harold Hap May, PC as Co-Counsel* Filed by Attorney Harold "Hap" May P.C. (“May”).
3. When this case was filed, the Debtor anticipated having Mr. Battaglia as well as a second firm, Shannon & Lee LLP, representing it. The Shannon & Lee application was not approved, leaving the Debtor with one counsel. Mr. Battaglia is an excellent attorney. However, the work yet to be accomplished is significant. The Trustee is concerned that a solo practitioner does not have the bandwidth to adequately represent the Debtor in prosecuting confirmation of a plan and the litigation anticipated in this extremely challenging case. The Trustee is further concerned given the strained relationship of Mr. Battaglia and the CRO. The Trustee is mindful of the additional cost associated with employing May. The Trustee consulted with May and

Battaglia regarding avoiding duplication of effort. Under the circumstances, the Trustee believes that the terms of the proposed engagement of May are both reasonable and prudent and provide the Debtor the necessary assistance for the case.

WHEREFORE, the Trustee respectfully requests that an order be entered approving the employment of Harold “Hap” May, PC.

Dated: February 14, 2024.

/s/ Elizabeth C. Freeman

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*Proposed Counsel for Melissa Haselden,
Subchapter V Trustee*

Certificate of Service

I certify that on February 14, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas and upon all creditors as reflected on the attached list.

/s/ Elizabeth C. Freeman

Elizabeth C. Freeman